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In re Application of:
Christopher Mitchell, et al.
Application No. 09/836,584
Filed: April 16, 2001
For: Methods and Arrangements for Selectively
Maintaining Parental Access Consent in a
Network Environment

MAILED

AUG 1 2007

TECHNOLOGY CENTER 2100

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.136(b)**

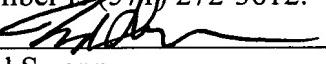
This is a decision on the petition filed May 12, 2006 under 37 CFR § 1.136(b) for granting a 2 month extension of time to file the May 12, 2006 Reply Brief.

A review of the record indicates that on January 12, 2006, an examiners answer was mailed out in response to an appeal brief filed October 28, 2005. On May 12, 2006 a reply brief was filed with a two month extension of time under 37 CFR § 1.136(a) and a statement on the first page of the reply brief that the extension of time as set forth in 37 CFR § 1.136(b). There appears to be some confusion over which statute the extension of time is being submitted under so both will be discussed. 37 CFR 41.41 clearly states that extensions of times under 37 CFR § 1.136(a) are not applicable under this section. 37 CFR 1.136(b) states that extensions of time under this section must be submitted before expiration of the running time period and include a reason as to why the response can not be filed within the time period running. In this application the time period was two months starting January 12, 2006, thus the petition was after the expiration of the time period and the petition included no rationale as to why a response could not be filed before expiration of the time period.

Therefore, the reply brief noted communication of April 18, 2007 is hereby vacated as the reply brief cannot be considered as was not submitted timely. The application is being forwarded to board of appeals and interferences for consideration of the merits.

Accordingly, the petition is **Dismissed**.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3612.


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